

[18 April, 2001]

RAJYA SABHA

THE MINISTER OF RURAL DEVELOPMENT (SHRI M. VENKAIAH NAIDU): (a) Yes, Sir. In the Memorandum submitted by the Forum to the Prime Minister on 17th December, 1996, 1st September, 1997 and 23rd July, 1998, demand was made for the allocation of funds for overall development of SCs and STs in proportion to their population.

(b) and (c) The Schemes of the Ministry of Rural Development are intended to benefit rural poor of all categories including SCs/STs. As the Schemes relating to acquisition and distribution of agricultural land are area specific, funds are not demanded on the basis of population of SC/ST. However, wherever possible, Special Component Plan (SCP) for SCs and Tribal Sub Plan (TSP) for STs are carved out of the Annual Plans.

Legislation giving panchayats administrative and financial powers

† 3583. SHRI LAJPAT RAI: Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) whether any legislation has been enacted three years back to give the panchayats administrative and financial powers;

(b) if so, to what extent the said legislation has been implemented, the State-wise details thereof; and

(c) the names of States where the finance Commissions have been constituted and the number of Commissions which have submitted their reports to Government?

THE MINISTER OF RURAL DEVELOPMENT (SHRI M. VENKAIAH NAIDU): (a) and (b) No, Sir. The Constitution (73rd Amendment) Act, 1992 incorporated as part IX of the Constitution of India provides for administrative and financial powers to Panchayats. According to Article 243G of the Constitution, the States Legislatures had been vested with powers to make laws for endowing the Panchayats with such powers and authority to enable them to function as institutions of self-government. The State/UT wise transfer of funds, functions and functionaries with respect to the 29

† Original notice of the Question was received in Hindi,

subject listed out in Schedule XI of the Constitution is enclosed as Statement-I (*See below*)

(c) Article 243-1 of the Constitution of India provides that States shall constitute State Finance Commission within one year of commencement of the 73rd Constitutional Amendment Act, and there-after on the expiration of every fifth year to revise the financial position of the Panchayats and to make recommendations for improvement of financial position of these institutions. The Status of the 1st SFC Report is given in Statement-II (*See below*). It may be seen that with the exception of Arunachal Pradesh, all States had appointed their first SFC during 1994-95. AU the SFCs barring that of Bihar submitted their reports to the State Governments who laid them before their respective legislatures along with Action Taken Report thereon—except Gujarat and Goa. Several States such as Andhra Pradesh, Tamil Nadu, Kerala, Karnataka, Maharashtra, Tripura, Assam, West Bengal, Uttar Pradesh, Himachal Pradesh, Madhya Pradesh, Punjab and Rajasthan have appointed their second SFC. In Kerala the second SFC has already given its first report.

Statement-I

Status of Devolution of Departments / Subjects with Funds, Functions and Functionaries to Panchayati Raj Institutions

SI. No	States/UTs	No. of Departments/subjects			No. of Departments/subjects		
		TRANSFERRED to Panchayats with			YET TO BE TRANSFERRED to Panchayats with		
		Funds	Functions	Functionaries	Funds	Functions	Functionaries
1	2	3	4	5	6	7	8
1.	Andhra Pradesh	05	13	02	24	16	27
2.	Arunachal Pradesh	—	—	—	29	29	29
3.	Assam	—	—	—	29	29	29
4.	Bihar	—	—	—	29	29	29
5.	Jharkhand	—	—	—	29	29	29
6.	Goa	—	—	—	29	29	29
7.	Gujarat	—	—	—	29	29	29
8.	Haryana	—	16	—	29	13	29
9.	Himachal Pradesh	02	23	07	27	06	22
10.	Karnataka	29	29	29	—	—	—
11.	Kerala	15	29	15	14	—	14
12.	Madhya Pradesh	10	23	09	19	06	20
13.	Chhattisgarh	10	23	09	19	06	20
14.	Maharashtra	18	18	18	11	11	11
15.	Manipur	—	22	04	29	07	25

The provisions of the Constitution (73rd Amendment) Act, 1992 are not applicable to the States of J&K, Meghalaya, Mizoram and Nagaland.

1	2	3	4	5	6	7	8
16.	Orissa	05	25	03	24	04	26
17.	Punjab	—	07	—	29	22	29
18.	Rajasthan	—	29	—	29	—	29
19.	Sikkim	29	29	29	—	—	—
20.	Tamil Nadu	—	29	—	29	—	29
21.	Tripura	—	12	—	29	17	29
22.	Uttar Pradesh	12	13	09	17	16	20
23.	Uttaranchal	12	13	09	17	16	20
24.	West Bengal	12	29	12	17	—	17
25.	AA.N. Islands	—	—	—	29	29	29
26.	Chandigarh	—	—	—	29	29	29
27.	D&N Haveli	—	03	03	29	26	26
28.	Daman & Diu	—	29	—	29	—	29
29.	NCT of Delhi	Panchayati Raj System is yet to be revived					
30.	Pondkerry	—	—	—	29	29	29
31.	Lakshadweep	—	06	—	29	23	29

Statement-II**The Status of SFC Reports**

Sl. No.	States/UTs	Report of SFC	Acceptance of Report
1.	Andhra Pradesh	Received	Major recommendations accepted.
2.	Arunachal Pradesh	Not set up	—
3.	Assam	Received	Partially accepted.
4.	Bihar	Report awaited	—
5.	Jharkhand	Not set up	
6.	Goa	Received	Under consideration.
7.	Gujarat	Received	Major decisions accepted.
8.	Haryana	Received	Major decisions accepted.
9.	Himachal Pradesh	Received	Accepted.
10.	Karnataka	Received	Major recommendations accepted.
11.	Kerala	Received	Accepted.
12.	Madhya Pradesh	Received	Accepted.
13.	Chhattisgarh	Received	Accepted.
14.	Maharashtra	Received	Major recommendations accepted.
15.	Manipur	Received	Accepted.
16.	Orissa	Received	Accepted.
17.	Punjab	Received	Accepted.
18.	Rajasthan	Received	Accepted.
19.	Sikkim	Received	Accepted but orders not yet issued.
20.	Tamil Nadu	Received	Accepted.
21.	Tripura	Received	Accepted.
22.	Uttar Pradesh	Received	Major recommendations accepted.
23.	Uttaranchal	Received	Major recommendations accepted.
24.	West Bengal	Received	Accepted.
25.	A&N Islands	Received	Accepted.
26.	Chandigarh	Received	—
27.	D&N Haveli	Received	Accepted.
28.	Daman & Diu	Received	Accepted.
29.	NCT of Delhi	Not set up	—
30.	Pondicherry	Received	Accepted.
31.	Lakshadweep	Received	Accepted.

The provisions of the Constitution (73rd Amendment) Act, 1992 are not applicable to the States of J&K, Meghalaya, Mizoram and Nagaland.